

REMARKS

This Amendment is submitted in response to the Office Action mailed on June 27, 1997. Prior to the Office Action, claims 1-11 were pending in the patent application. The Office Action indicated that claim 11 is allowed and that dependent claims 4-6, 9 and 10 would be allowable if rewritten to include the limitations of the base claim and any intervening claims. The Office Action rejected claims 1-3, 7 and 8 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,010,843, issued to Henry.

Applicant has amended claims 1, 4, 7 and 9. Claims 1-11 remaining pending in the application.

Applicant has amended claims 4 and 9 to include the limitations of the base claims as suggested by the Examiner. Thus, those claims dependent on claims 4 and 9, namely claims 5, 6 and 10 should now also be allowable.

Claims 1-3 are directed towards a pet bed comprising an outer covering, a cushion disposed within the outer covering, and a bolster removably disposed within the outer covering and disposed about at least a portion of the perimeter of the bottom portion without being secured to the cushion. Because the bolster is not secured to the cushion, this pet bed is easier than those in the prior art to assemble, i.e., to place the bolster and cushion within the outer covering, and also easier to disassemble for transport or cleaning purposes.

In the pet bed disclosed in Henry, the semi-circular cushions are attached to

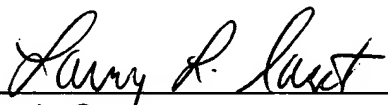
the circular base cushion by stitching, hook and loop materials, or other fasteners. However, if the cushions are foam, a commonly used cushion material, it is not easy to sew or attach hook and loop fasteners to such foam material, and the joint between the semi-circular cushion and base cushion is susceptible to failure. As a result, Henry suggests individual liners for each cushion and requires covers for the semi-circular cushions 14, 16 which are separate from the cover for the base cushion. See Col. 2, lines 44-50. These separate liners and covers add manufacturing cost for material and assembly time. In addition, Henry has a concern for exposed connections between the semi-circular cushions and the base cushion, which is not a concern with the present invention because a single cover encompasses both cushions. Henry does not suggest a single cover for all of the cushions, and it would be difficult to design such a cover and assemble such a bed using the interconnected cushions of Henry.

Thus, the prior art of record does not teach or suggest the pet bed of claims 1-3. Accordingly, applicant respectfully submits that claims 1-3 are patentable over the prior art and requests allowance of such claims.

Claims 7 and 8 are directed to a pet bed in which the bolster is removably secured to the interior of the outer covering. This feature -- not disclosed by the Henry reference -- increases the stability of the pet bed by insuring that the bolster remains relatively fixed in position with respect to the perimeter of the bottom cushion 4 and bolster pocket 10. The prior art of record does not teach or suggest

the pet bed of claims 7 and 8. Accordingly, applicant respectfully submits that claims 7 and 8 are patentable over the prior art of record and requests allowance of such claims.

Respectfully submitted,
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